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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Frederic BESEME et al.

Group Art Unit: 1633

Application No.: 10/717,580

Examiner: M. MARVICH

Filed: November 21, 2003

Docket No.: 105045.01

For: ENDOGENETIC RETROVIRAL SEQUENCES, ASSOCIATED WITH
AUTOIMMUNE DISEASES OR WITH PREGNANCY DISORDERS

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the March 4, 2009 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks.

The Office Action rejects claims 1, 2, 41, and 42 under 35 U.S.C §101 because the claimed invention allegedly is not supported by either a specific and substantial asserted utility or a well-established utility; and rejects these claims under the enablement requirement of 35 U.S.C §112, first paragraph. Because both of these rejections involve the same issues, both rejections are addressed together below.

Applicants respectfully traverse the rejections. Contrary to the assertions of the Office Action, the specification asserts a specific and substantial utility for the claimed subject matter:

The nucleic material, the nucleotide sequences and the peptides or proteins which may be expressed by said materials and sequences may be used to detect, predict, treat and monitor any autoimmune disease, and the pathologies which are associated